

# News Release Archive

2016

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# News Release

Release No.: 07-16

Contact:  
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## **GIPSA Seeks Comments on Grains, Oilseeds, Rice, Pulses, and Related Products**

WASHINGTON, Feb. 9, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) is seeking public comment in the Federal Register from producers, handlers, processors, food manufacturers, exporters, importers, consumers, scientists, academicians, industry stakeholders, and other interested persons on how GIPSA can best facilitate the marketing of grains, oilseeds, rice, pulses, and related products or products made from them, including coproducts of ethanol production, commonly referred to as distillers’ grains (DDG), based on market-identified quality attributes. This effort is critical to help ensure that standards and official grading practices remain relevant in the market. GIPSA invites comment on the relevance of current standards, methods, and grading practices, and on potential market needs for new standards or services.

All interested persons are encouraged to comment on the following issues:

1. Are there any market-identified quality attributes that GIPSA does not currently describe (or provide testing) that would facilitate the marketing of grain, oilseeds, and related products?
2. What role should GIPSA take, if any, in standardizing the testing of inputs and outputs of ethanol co-product processing? Has anything changed in the marketing of ethanol and ethanol co-products since GIPSA’s last Advance Notice of Proposed Rulemaking (ANPR) in 2007 related to standardization, product description, or quality assessment?
3. Are there any other services that GIPSA could offer to facilitate the marketing of grain, oilseeds, or related products?



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# News Release

Release No.: 23-16

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## **GIPSA Schedules Grain Inspection Advisory Committee Meeting**

WASHINGTON, April 8, 2016 – The USDA Grain Inspection, Packers and Stockyards Administration will conduct a public meeting of the Grain Inspection Advisory Committee on May 17-18, 2016, in Kansas City, Mo.

Sessions will take place on May 17 from 8:00 a.m. to 4:30 p.m. (Central DST) and on May 18 from 8:00 a.m. to noon at the National Grain Center located at 10383 N. Ambassador Drive, Kansas City, Mo. 64153.

Public participation will be limited to written statements unless permission is received from the committee chair to speak at the meeting.

Requests to address the committee during the meeting and written comments may be sent to: Administrator, GIPSA, U.S. Department of Agriculture, 1400 Independence Avenue, SW., STOP 3601, Washington, DC 20250-3601. Requests and comments may also be faxed to (202) 690-2173.

Agenda items include service delivery overview, quality assurance, compliance updates, field management overview, international program updates, and outreach, technology and science initiatives. Copies of the agenda are available from Ms. Terri Henry, (202) 205-8281 or by e-mail [Terri.L.Henry@usda.gov](mailto:Terri.L.Henry@usda.gov).

For additional information about the Grain Inspection Advisory Committee visit the GIPSA website: [www.gipsa.usda.gov](http://www.gipsa.usda.gov). Additional information about the public meeting can be found in the March 29, 2016 Federal Register Notice.

Persons with disabilities who require alternative means of communication of program information or related accommodations should contact Ms. Terri Henry at (202) 205-8281 or FAX (202) 690-2173.



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# News Release

Release No.: 69-16

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## **USDA Announces American Grain Exports at Highest Level in Three Decades**

WASHINGTON, Oct. 7, 2016 – American grain exports for fiscal year 2016 reached levels not seen in more than three decades, according to a U.S. Department of Agriculture’s (USDA) Federal Grain Inspection Service (FGIS) report. As of Sept. 30, more than 132 million metric tons of U.S. grains were inspected and weighed for export during the past fiscal year, an increase of 5.7 percent compared to 125.3 million metric tons inspected and weighed for the same reporting period in 2015.

“American grain exports in fiscal year 2016 are the largest in 35 years,” said Agriculture Secretary Tom Vilsack. “It points to the confidence of our global trading partners in the high quality products raised by U.S. farmers and the integrity of the federal grain inspection system. Our customers know that they will receive the quality and quantity they have paid for. It also is fitting that the year-end export number arrives on the 40th anniversary of the Federal Grain Inspection Service.”

Since 1976 FGIS has provided impartial inspection and weighing services through a network of federal, state and private entities and monitors marketing practices to enforce compliance with the U.S. Grain Standards Act.

For additional information about the Grain Inspection, Packers and Stockyards Administration (GIPSA) visit [www.gipsa.usda.gov](http://www.gipsa.usda.gov)

USDA works to strengthen and support American agriculture, an industry that supports one in 11 American jobs, provides American consumers with more than 80 percent of the food we consume, ensures that Americans spend less of their paychecks at the grocery store than most people in other countries, and supports markets for homegrown renewable energy and materials. Since 2009, USDA has provided \$5.6 billion in disaster relief to farmers and ranchers; expanded risk management tools with products like Whole Farm Revenue Protection; and helped farm businesses grow with \$36 billion in farm credit. The Department has engaged its resources to support a strong next generation of farmers and ranchers by improving access to land and capital; building new markets and market opportunities; and extending new conservation opportunities. USDA has developed new markets for rural-made products, including more than 2,500 biobased products through USDA’s BioPreferred program; and invested \$64 billion in infrastructure and community facilities to help improve the quality of life in rural America. For more information, visit [www.usda.gov/results](http://www.usda.gov/results).



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# News Release

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## **USDA Grain Inspection Advisory Committee Meets October 19-20**

WASHINGTON, Oct. 12, 2016 –The Department of Agriculture’s Grain Inspection Advisory Committee Fall 2016 Meeting takes place Oct. 19 - 20 in Portland, Oregon.

Hours are from 8:00 a.m. - 5:00 p.m. Oct. 19, and 8:00 a.m. - 1:30 p.m. Oct. 20 at the Albers Mill Building, 1200 NW Naito Parkway, Suite 240, Portland, OR 97209.

The agenda covers a variety of topics from the Federal Grain Inspection Service: quality assurance and compliance, field management, service delivery, international program and outreach, and technology and science initiatives. For a copy of the agenda contact Ms. Terri Henry, (202) 205-8281 or e-mail [Terri.L.Henry@usda.gov](mailto:Terri.L.Henry@usda.gov).

The public is invited to attend and address the committee, but unless permission is received from the committee chairman, participation is limited to written statements.

Requests to address the committee during the meeting, or written comments may be sent to: Administrator, GIPSA, U.S. Department of Agriculture, 1400 Independence Avenue, SW., STOP 3601, Washington, DC 20250-3601. Requests and comments may also be faxed to (202) 690-2173.

Persons with disabilities requiring alternative means of communication, or related accommodations may contact Ms. Terri Henry, (202) 205-8281 or FAX (202) 690-2173.

The advisory committee provides counsel to the Grain Inspection, Packers and Stockyards Administration on implementation of the U.S. Grain Standards Act (7 U.S.C. 71 et seq.)

For additional information about the committee or the Grain Inspection, Packers and Stockyards Administration visit [www.gipsa.usda.gov](http://www.gipsa.usda.gov)



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# News Release

Release No.: 85-16

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## **GIPSA Reduces Fees for Weighing and Inspection Services**

WASHINGTON, December 30, 2016-- The U.S. Department of Agriculture, Grain Inspection, Packers and Stockyards Administration is reducing inspection and weighing service fees by five percent beginning January 1, 2017. The reduction will remain in effect until further notice.

“Due to the continuation of high grain exports, The Federal Grain Inspection Service (FGIS) operating reserve exceeds 4 ½ months of operating expenses. FGIS also reviewed tonnage fees and the tonnage fees were adjusted to reflect fiscal year 2016 costs and a five year average of export tons,” said GIPSA Administrator Larry Mitchell.

In 2015, the U.S. Grain Standards Act (USGSA) was amended by the Agriculture Reauthorizations Act of 2015, to require FGIS to adjust annually the export grain inspection and weighing fees when the operating reserve (OR) is less than or more than 4 ½ months of operating expenses. The amendments also instruct the Program to adjust tonnage fees on an annual basis using a rolling five year average of export tons.

The USGSA provides FGIS’ with the authority to charge and collect reasonable fees to cover the cost of performing official services.

For additional information about FGIS visit the GIPSA website: [www.gipsa.usda.gov](http://www.gipsa.usda.gov)



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# News Release

Release No.: 02-16

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## **Daniel Ault, d/b/a Dwault Livestock Is Suspended as a Registrant for 18 Months**

WASHINGTON, Jan. 11, 2016 – On Oct. 15, 2015, the U.S. Department of Agriculture issued a Decision without Hearing by Reason of Default against Daniel Ault (Ault), doing business as Dwault Livestock, Fairmont, Ind., which became final and effective on Nov. 27, 2015.

An Administrative Law Judge ordered Ault to cease and desist from:

- issuing checks in payment of livestock purchases without having and maintaining sufficient funds on deposit and available in the account upon which such checks are drawn to pay when presented;
- failing to pay, when due, the full purchase price for livestock; and
- failing to pay the full amount of the purchase price for livestock.

Ault is suspended as a registrant for 18 months, starting on Nov. 27, 2015. If Ault has paid for each transaction identified in the complaint in full, Ault's business suspension may be vacated and registration may be reinstated upon application to the Packers and Stockyards Program.

Ault has also been ordered to maintain all records to fully and correctly disclose and document all transaction conducted as a livestock dealer, including bank statements, invoices, and proof of payment in compliance with the Packers and Stockyards (P&S) Act and Regulations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 01-16

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## **GIPSA Alleges Superior Canadian Livestock Auction, Ltd., Barbara Bezan and Layton Bezan Violated the Packers and Stockyards Act**

WASHINGTON, Jan. 11, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Superior Canadian Livestock Auction, Ltd. (Superior Canadian Livestock), Barbara Bezan and Layton Bezan, Regina, SK S4P3C6 (Canada):

- falsely represented the weight of livestock;
- failed to pay for livestock purchased;
- issued a check without having sufficient funds to cover the check;
- acted as a dealer, purchased cattle, marked-up the price for the sale and added a \$1.00 buying commission, for an unlawful profit of approximately \$5,867.14; and
- purchased livestock and failed to pay, when due, for the livestock purchased.

GIPSA filed a complaint against Superior Canadian Livestock, Barbara Bezan, and Layton Bezan on October 15, 2015. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Superior Canadian Livestock, Barbara Bezan, and Layton Bezan may be ordered to cease and desist from violating the P&S Act, suspended and/or assessed a civil penalty.

Superior Canadian Livestock, Barbara Bezan, and Layton Bezan were engaged in the business of a dealer buying and selling livestock in commerce for its own account and the accounts of others and are registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 05-16

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## **Matt Goosen, d/b/a Dennis Goosen, d/b/a Cane Cattle Company, d/b/a Cane Cattle, d/b/a Cain Cattle, d/b/a Goosen Land and Cattle, and d/b/a Goosen Cattle Is Suspended as a Registrant for Five Years**

WASHINGTON, Jan. 21, 2016 – On Oct. 14, 2015, the U.S. Department of Agriculture issued a Decision without Hearing by Reason of Default against Matt Goosen, doing business as Dennis Goosen, doing business as Cane Cattle Company, doing business as Cane Cattle, doing business as Cain Cattle, doing business as Goosen Land and Cattle, and doing business as Goosen Cattle, Cisco, Texas, which became final and effective on Dec. 22, 2015.

An Administrative Law Judge ordered Matt Goosen to cease and desist from:

- issuing checks in payment of livestock purchases without having and maintaining sufficient funds on deposit and available in the account upon which such checks are drawn to pay when presented;
- failing to pay, when due, the full purchase price for livestock; and
- failing to pay the full amount of the purchase price for livestock.

Matt Goosen is suspended as a registrant for five years, beginning Dec. 22, 2015. Upon application to the Packers and Stockyards Program (P&SP), a supplemental order may be issued terminating the suspension of Matt Goosen at any time after the expiration of 365 days of the suspension period if Matt Goosen demonstrates, to the satisfaction of the P&SP, that all unpaid livestock sellers identified in the complaint underlying this Order have been paid in full, or a reasonable schedule of restitution has been arranged with the unpaid livestock sellers.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 03-16

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## **GIPSA Settles a Case with Potosi Livestock Sales, LLC, Resulting in a \$1,000 Penalty**

WASHINGTON, Jan. 21, 2016 – On December 21, 2015, Potosi Livestock Sales, LLC (Potosi), Bourbon, Mo., waived its right to a hearing, entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Potosi agreed to pay a penalty of \$1,000 after GIPSA found that it had deceptive trade practices by creating false or misleading records in connection with activities subject to the Packers and Stockyards (P&S) Act.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the P&S Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 04-16

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## **GIPSA Settles a Case with Springfield Livestock Marketing Center, LLC, Resulting in a \$4,000 Penalty**

WASHINGTON, Jan. 21, 2016 – On December 14, 2015, Springfield Livestock Marketing Center, LLC (Springfield), Springfield, Mo., waived its right to a hearing, entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Springfield agreed to pay a penalty of \$4,000 after GIPSA found that it had custodial account shortages.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

“The production of distillers’ grains has continued to grow in recent years concurrent with increased ethanol production. GIPSA will broadly refer to “distillers’ grains” as being any of the plethora of co-products generated by dry-mill ethanol plants, including distillers’ wet grains (DWG), distillers’ dried grains (DDG), distillers’ wet grains with solubles (DWGS), distillers’ dried grains with solubles (DDGS), and condensed distillers’ solubles (CDS), unless otherwise specified,” said Randall Jones, Deputy Administrator, Federal Grain Inspection Service.

According to USDA’s Economic Research Service, the United States produced an estimated 44.6 million metric tons of DDGS in the 2014/15 crop year, compared to 12.4 million metric tons of DDGS in 2006/07, when GIPSA’s last sought comment on this matter. Increasing supply, two years of higher prices for competing feeds (soybean meal and corn), and successful foreign market development efforts by USDA and trade associations have led to a surge in DDGS exports from the United States. Exports now constitute nearly 25 percent of domestic DDGS production, totaling 11.0 million metric tons in the 2014/15 crop year, compared to exports of only 14.5 percent of production, totaling 1.8 million metric tons in 2006/07.

For additional information visit the GIPSA website: [www.gipsa.usda.gov](http://www.gipsa.usda.gov)



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# News Release

Release No.: 08-16

Contact:  
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## **GIPSA Settles a Case with Brown-Goff, Inc. And Ronald H. Hartman Resulting in a \$1,825 Penalty**

WASHINGTON, Feb. 18, 2016 – On Jan. 28, 2016, Brown-Goff, Inc., and Ronald H. Hartman, Sioux City, Iowa, waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Brown-Goff, Inc., and Ronald H. Hartman agreed to pay a penalty of \$1,825 after GIPSA found that they failed to pay, when due, for livestock.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 09-16

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## **Hubert Dennis Edwards Assessed a \$12,500 Civil Penalty**

WASHINGTON, Feb. 18, 2016 – On Dec. 15, 2015, an Administrative Law Judge (ALJ) with the U.S. Department of Agriculture (USDA) issued a decision and granted summary judgment against Hubert Dennis Edwards (Edwards), Marana, Ariz. The decision was the result of a complaint issued by the Grain Inspection, Packers and Stockyards Administration (GIPSA).

In the decision the ALJ ordered Edwards to cease and desist from:

- engaging in any business of a dealer buying and selling livestock in commerce without maintaining a bond or bond equivalent; and
- purchasing livestock in commerce, and failing to pay, when due, the full purchase price of the livestock.

Edwards is prohibited from engaging in any activities for which registration is required under the Packers and Stockyards (P&S) Act until such time as Edwards demonstrates to the satisfaction of GIPSA that he has an adequate bond or bond equivalent and that he is in full compliance with the P&S Act. At such time and thereafter, any application for registration that Edwards may file with GIPSA will be processed in accordance with standard GIPSA procedures.

The ALJ also assessed Edwards a \$12,500 civil penalty.

Although Edwards filed an appeal with the Judicial Officer for the USDA, his appeal was denied on the grounds that sufficient time had passed making the decision and order from the ALJ final.

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# News Release

Release No.: 10-16

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## **GIPSA Settles a Case with Ristine Company, Inc. Resulting in a \$500 Penalty**

WASHINGTON, Feb. 18, 2016 – On Jan. 26, 2016, Ristine (Ristine) Company, Inc., Sikeston, Mo., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Ristine agreed to pay a penalty of \$500 after GIPSA found that it failed to render a true written account of a purchase and marked-up weight when acting as a dealer without a supporting scale ticket.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 12-16

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## **Lonnie Martin Assessed a \$33,000 Civil Penalty And Will Pay Restitution**

WASHINGTON, Feb. 26, 2016 – On Feb. 18, 2016, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Lonnie Martin (Martin), East Earl, Pa.

An Administrative Law Judge ordered Martin to cease and desist from:

- purchasing livestock and failing to pay, when due, for the livestock purchased; and
- failing to pay the full purchase price of livestock.

Martin has been assessed a \$33,000 civil penalty. The civil penalty will be held in abeyance so long as Martin pays restitution to the party named in the Understanding in accordance with the terms of the Understanding.

The consent decision resolves a complaint that GIPSA filed against Martin on Feb. 17, 2016.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 11-16

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## **GIPSA Settles a Case with Richard J. Riella and Riella Farms, Inc. Resulting in a \$1,000 Penalty**

WASHINGTON, Feb. 26, 2016 – On Jan. 11, 2016, Richard J. Riella (Riella) and Riella Farms, Inc., Manteca, Calif., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Riella and Riella Farms, Inc. agreed to pay a penalty of \$1,000 after GIPSA found that they failed to pay, when due, for livestock.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 13-16

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## **Johnson County Cattle Auction, LLP, d/b/a Johnson County Cattle Auction, and R.A. Cantrell, a/k/a Bo Cantrell, Patsy Cantrell, Leah Davis, and George Davis, Jr., jointly formerly d/b/a Johnson County Cattle Auction Assessed a \$30,000 Civil Penalty**

WASHINGTON, March 3, 2016 – On Jan. 28, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Johnson County Cattle Auction, LLP (Johnson County Cattle), doing business as Johnson County Cattle Auction, LLP, and R.A. Cantrell, also known as Bo Cantrell, Patsy Cantrell, Leah Davis, and George Davis, Jr., jointly formerly did business as Johnson County Cattle Auction, Cleburne, Texas.

An Administrative Law Judge ordered Johnson County Cattle, R.A. Cantrell, Patsy Cantrell, Leah Davis, and George Davis, Jr. to cease and desist from:

- failing to deposit in their Custodial Account for Shippers’ Proceeds, within the times prescribed in the Regulations, amounts equal to the outstanding proceeds receivable from the sale of consigned livestock; and
- failing to properly maintain their custodial account in strict conformity with the Packers and Stockyards (P&S) Act and Regulations.

They have also been assessed jointly a \$30,000 civil penalty.

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# News Release

Release No.: 16-16

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## **GIPSA Settles a Case with Athens Stockyard, LLC Resulting in a \$6,050 Penalty**

WASHINGTON, March 11, 2016 – On March 7, 2016, Athens Stockyard, LLC, Athens, Tenn., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Athens Stockyard, LLC agreed to pay a penalty of \$6,050 after GIPSA found that it had custodial account shortages.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 15-16

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## **Richard Reece Assessed a \$10,000 Civil Penalty And Suspended for 90 Days**

WASHINGTON, March 11, 2016 – On March 8, 2016, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision and order with Richard Reece, Adel, Iowa.

An Administrative Law Judge ordered Richard Reece to cease and desist from failing to pay and failing to pay, when due, the full purchase price for livestock.

He has also been assessed a \$10,000 civil penalty and is suspended for a period of 90 days. The 90 day suspension shall be held in abeyance until the civil penalty is paid in full. If Reece pays the entire civil penalty and avoids further violation of the Packers and Stockyards (P&S) Act, he will not be required to suspend operations.

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# News Release

Release No.: 14-16

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## **GIPSA Settles a Case with Belknap Livestock Auction, Inc. and Thomas L. Huff Resulting in a \$300 Penalty**

WASHINGTON, March 11, 2016 – On Feb. 22, 2016, Belknap Livestock Auction, Inc. (Belknap), and Thomas L. Huff (Huff), Dayton, Pa., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Belknap and Huff agreed to pay a penalty of \$300 after GIPSA found that they failed to have their scale tested.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 19-16

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## **American Pacific, Inc. - International Has Been Ordered to Cease and Desist**

WASHINGTON, March 25, 2016 – On March 14, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with American Pacific, Inc. – International (American Pacific), Ninole, Hawaii.

An Administrative Law Judge ordered American Pacific to cease and desist from:

- engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act and Regulations, without filing and maintaining an adequate bond or its equivalent, as required by the P&S Act and Regulations; and
- failing to have any scale that it owns or operates subject to the P&S Act and the Regulations tested at six-month intervals.

The consent decision resolves a complaint that GIPSA filed against American Pacific on Feb. 8, 2016.

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# News Release

Release No.: 17-16

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## **Joe John Garcia Has Been Ordered to Cease and Desist and is Suspended as a Registrant**

WASHINGTON, March 25, 2016 – On Jan. 14, 2016, the U.S. Department of Agriculture issued a Decision without Hearing by Reason of Admissions against Joe John Garcia (Garcia), Albuquerque, N.M., which became final and effective on March 15, 2016.

An Administrative Law Judge ordered Garcia to cease and desist from:

- failing to pay the full amount of the purchase price for livestock before the close of the next business day following each purchase of livestock; and
- issuing checks in payment of livestock purchases without having and maintaining sufficient funds on deposit and available in the account upon which such checks are drawn to pay such checks when presented.

Garcia is also suspended as a registrant under the Packers and Stockyards (P&S) Act for a period of one year. However, upon application to the Packers and Stockyards Program, a supplemental order may be issued terminating the suspension of Garcia at any time after the expiration of 30 days of the suspension period. If Garcia demonstrates, to the satisfaction of the Packers and Stockyards Program that all unpaid livestock sellers identified in the complaint have been paid in full, or a reasonable schedule of restitution has been arranged with the unpaid livestock sellers identified in the complaint, his application will be taken into consideration.

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# News Release

Release No.: 18-16

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## **GIPSA Alleges PA Farm Products, LLC, Isaac Wiesenfeld and Elias Wiesenfeld Violated the Packers and Stockyards Act**

WASHINGTON, March 25, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that PA Farm Products, LLC, Isaac Wiesenfeld and Elias Wiesenfeld, Stevens, Pa.:

- purchased live poultry, on several occasions, and failed to pay the full purchase price for the poultry; and
- issued checks without having sufficient funds available to pay for live poultry purchases. The check amounts remain unpaid.

GIPSA filed a complaint against PA Farm Products, LLC, Isaac Wiesenfeld and Elias Wiesenfeld on Feb. 10, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, PA Farm Products, LLC, Isaac Wiesenfeld and Elias Wiesenfeld may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

Isaac Wiesenfeld and Elias Wiesenfeld are co-owners of PA Farm Products, LLC and were engaged in business as live poultry dealers in the Commonwealth of Pa. PA Farm Products, LLC is a business incorporated in the Commonwealth of Pa. and currently a debtor in a Chapter 11 case filed in the United States Bankruptcy Court for the Eastern District of New York. The case number is 15-45751 – NHL.

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# News Release

Release No.: 21-16

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## **GIPSA Settles a Case with Newman Stockyards, LLC Resulting in a \$4,840 Penalty**

WASHINGTON, April 7, 2016 – On March 28, 2016, Newman Stockyards, LLC, Newman, Calif., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Newman Stockyards, LLC agreed to pay a penalty of \$4,840 after GIPSA found it had custodial account shortages.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 20-16

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## **GIPSA Settles a Case with Olean Livestock Market, Inc., Don Bledsoe and Roy O. Houston Resulting in a \$3,000 Penalty**

WASHINGTON, April 7, 2016 – On March 30, 2016, Olean Livestock Market, Inc., Don Bledsoe and Roy O. Houston, Eldon, Mo., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). They agreed to pay a penalty of \$3,000 after GIPSA found that, at least four times, they altered invoices to mark-up livestock prices.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 22-16

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## **GIPSA Settles a Case with Robert Kamstra Resulting in a \$1,000 Penalty**

WASHINGTON, April 7, 2016 – On March 22, 2016, Robert Kamstra, Graham, Wash., waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Robert Kamstra agreed to pay a penalty of \$1,000 after GIPSA found he had failed to pay, when due, for 144 head of livestock.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 24-16

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## **4J Cattle Co., LLC and Randy Stewart Have Been Assessed a \$4,000 Civil Penalty**

WASHINGTON, April 13, 2016 – On April 6, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision and order with 4J Cattle Co., LLC (4J Cattle) and Randy Stewart (Stewart), Harrisburg, S.D.

An Administrative Law Judge ordered 4J Cattle and Stewart to cease and desist from failing to pay, when due, the full purchase price for livestock.

They have also been assessed a \$4,000 civil penalty.

The consent decision resolves a complaint that GIPSA filed against 4J Cattle and Stewart on March 28, 2016.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 25-16

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## **GIPSA Settles a Case with J. Randy Carson and Abilene Auction, Inc. Resulting in a \$5,000 Penalty**

WASHINGTON, April 21, 2016 – On April 11, 2016, J. Randy Carson and Abilene Auction, Inc., Abilene, Texas, waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). They agreed to pay a penalty of \$5,000 after GIPSA found they had custodial account shortages.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 29-16

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## **GIPSA Alleges BP Livestock, LLC and Brody Peak Violated the Packers and Stockyards Act**

WASHINGTON, May 2, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that BP Livestock, LLC (BP Livestock) and Brody Peak (Peak), Emporia, Kan.:

- purchased livestock and failed to pay, when due, the full purchase price of the livestock;
- purchased cattle for and sold cattle to certain customers on the bases of the same weight at which they purchased cattle. BP Livestock billed and collected from these customers on the basis of false and incorrect weights obtained by adding an arbitrary number of pounds to the weights at which the cattle were originally purchased; and
- failed to keep and maintain records which fully and correctly disclose all of the transactions in their business as a dealer. Specifically, they failed to keep accurate records of their original and final sales invoices and scale tickets.

GIPSA filed a complaint against BP Livestock and Peak on March 10, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, BP Livestock and Peak may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

BP Livestock was engaged in the business of dealer, buying and selling livestock in commerce and is registered with the Secretary (Secretary) of Agriculture as a dealer to buy and sell livestock.

Peak was engaged in the business of a dealer, buying and selling livestock in commerce; is not registered with the Secretary as a dealer to buy and sell livestock; is 100% owner of BP Livestock, and is responsible for the day-to-day management, direction, and control of BP Livestock.

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# News Release

Release No.: 28-16

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## **GIPSA Alleges Carl Mendes, Jr. Violated the Packers and Stockyards Act**

WASHINGTON, May 2, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Carl Mendes, Jr. (Mendes), Hanford, Calif.:

- continued to engage in the business of a dealer buying and selling livestock without obtaining an adequate bond or its equivalent; and
- failed to pay, when due, the purchase price of livestock.

GIPSA filed a complaint against Mendes on Feb. 25, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Mendes may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and/or assessed a civil penalty. Mendes was engaged in the business of a dealer buying and selling livestock in commerce and is registered with the Secretary of Agriculture.

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# News Release

Release No.: 26-16

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## **GIPSA Settles a Case with El Mesteno Cattle Co., LLC Resulting in a \$3,250 Penalty**

WASHINGTON, May 2, 2016 – On April 12, 2016, El Mesteno Cattle Co., LLC (El Mesteno), Friona, Texas, waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). El Mesteno agreed to pay a penalty of \$3,250 after GIPSA found El Mesteno operated while insolvent and failed to pay, when due, for livestock.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 27-16

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## **GIPSA Settles a Case with Rich Prairie Livestock Exchange, Inc., Resulting in a \$3,000 Penalty**

WASHINGTON, May 2, 2016 – On April 11, 2016, Rich Prairie Livestock Exchange, Inc. (Rich Prairie), Pierz, Minn., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Rich Prairie agreed to pay a penalty of \$3,000 after GIPSA found Rich Prairie operated with a shortage in its custodial account.

Rich Prairie failed to deposit in the custodial account by the close of the next business day an amount equal to the proceeds receivable from the purchase of consigned livestock, causing the shortage.

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# News Release

Release No.: 30-16

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## **Riata Cattle Company, Inc. and Porfirio Garcia, a/k/a Fedo Garcia Have Been Assessed a \$15,000 Civil Penalty**

WASHINGTON, May 9, 2016 – On March 18, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Riata Cattle Company, Inc. (Riata), and Porfirio Garcia (Garcia), also known as Fedo Garcia, Raymondville, Texas.

An Administrative Law Judge ordered Riata and Garcia to cease and desist from failing to pay, when due the full purchase price of livestock. They were also assessed a \$15,000 civil penalty.

The consent decision resolves a complaint that GIPSA filed against Riata and Garcia on Feb. 10, 2016.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries



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# News Release

Release No.: 31-16

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## **GIPSA Settles a Case with Cureton Livestock Market, LLC, d/b/a Fredericktown Auction Co. Resulting in a \$2,750 Penalty**

WASHINGTON, May 17, 2016 – On April 14, 2016, Cureton Livestock Market, LLC (Cureton Livestock), doing business as Fredericktown Auction Co., Fredericktown, Mo., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Cureton Livestock agreed to pay a penalty of \$2,750 after GIPSA alleged Cureton Livestock engaged in deceptive trade practices by refunding or remitting a portion of the tariff rate or charges to certain consignors.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 33-16

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## **GIPSA Settles a Case with County Line Sale Barn, Inc. Resulting in a \$3,500 Penalty**

WASHINGTON, May 25, 2016 – On May 12, 2016, County Line Sale Barn, Inc. (County Line), Ratcliff, Ark., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). County Line agreed to pay a penalty of \$3,500 after GIPSA found County Line engaged in deceptive trade practices by creating false or misleading records in connection with activities subject to the Packers and Stockyards (P&S) Act.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the P&S Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 32-16

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## **GIPSA Settles a Case with Peter Craig and Pacific Livestock, Inc. Resulting in a \$3,000 Penalty**

WASHINGTON, May 25, 2016 – On April 11, 2016, Peter Craig and Pacific Livestock, Inc., Davis, Calif., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). They agreed to pay a penalty of \$3,000 after GIPSA found they failed to pay, when due, for livestock.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 34-16

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## **GIPSA Alleges Thomas B. Welch, d/b/a TBW Cattle Violated the Packers and Stockyards Act**

WASHINGTON, May 25, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Thomas B. Welch (Welch), doing business as TBW Cattle, Sophia, N.C., purchased livestock and failed to pay, when due, the full purchase price of the livestock.

GIPSA filed a complaint against Welch on May 2, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Welch may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Welch was engaged in the business of buying and selling livestock in commerce as a dealer for his own account, and is not registered with the Secretary of Agriculture as a dealer to buy and sell livestock.

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# News Release

Release No.: 36-16

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## **GIPSA Settles a Case with B&F Cattle Co., Inc., d/b/a Central Missouri Sales Co. Resulting in a \$2,700 Penalty**

WASHINGTON, June 1, 2016 – On May 18, 2016, B&F Cattle Co., Inc. (B&F Cattle), doing business as Central Missouri Sales Co., Sedalia, Mo., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). B&F Cattle agreed to pay a penalty of \$2,700 after GIPSA found that B&F Cattle altered invoices and indicated a higher amount being paid for livestock than what was actually paid in three transactions.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the P&S Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 35-16

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## **GIPSA Settles a Case with Murray Bresky Consultants, LTD, d/b/a Murray's Chicken, a/k/a M.B. Consultants, LTD, and Murray Bresky Resulting in a \$7,000 Penalty**

WASHINGTON, June 1, 2016 – On May 16, 2016, Murray Bresky Consultants, LTD, doing business as Murray's Chicken, also known as M.B. Consultants, LTD, and Murray Bresky, South Fallsburg, N.Y., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). They agreed to pay a penalty of \$7,000 after GIPSA found that they failed to pay for poultry within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the P&S Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 39-16

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## **GIPSA Settles a Case with Mecca Halal Quality Meats, LLC Resulting in a \$5,000 Penalty**

WASHINGTON, June 13, 2016 – On May 24, 2016, Mecca Halal Quality Meats, LLC (Mecca Halal), Newark, N.J., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Mecca Halal agreed to pay a penalty of \$5,000 after GIPSA found that Mecca Halal failed to pay, when due, for livestock purchases as required by the Packers and Stockyards (P&S) Act.

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# News Release

Release No.: 38-16

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## **Superior Canadian Livestock Auction, Ltd., Barbara Bezan and Layton Bezan Have Been Ordered to Cease and Desist from Violating the Packers and Stockyards Act**

WASHINGTON, June 13, 2016 – On May 26, 2016, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Superior Canadian Livestock Auction, Ltd. (Superior Canadian Livestock), Barbara Bezan and Layton Bezan, Regina, Saskatchewan S4P3C6 Canada.

An Administrative Law Judge ordered Superior Canadian Livestock, Barbara Bezan and Layton Bezan to cease and desist from:

- failing to pay, when due, the full purchase price of livestock;
- issuing non-sufficient funds checks for the purchase of livestock; and
- violating any provision of the Packers and Stockyards (P&S) Act.

They agreed to pay two livestock sellers monies owed for livestock totaling \$61,462 in installments with the balance due April 1, 2018. They will also be suspended for 45 days starting on May 1, 2018.

They were also assessed a \$10,000 civil penalty. The civil penalty will be held in abeyance upon successful compliance with the terms of the Order. If they have not paid the two livestock sellers, in full by May 1, 2018, the civil penalty shall be issued.

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# News Release

Release No.: 40-16

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## **GIPSA Settles a Case with Joe Fritz Resulting in a \$1,000 Penalty**

WASHINGTON, June 16, 2016 – On May 26, 2016, Joe Fritz, Sikeston, Mo., waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Joe Fritz paid a penalty of \$1,000 after GIPSA found that he had induced three auction markets to create invoices showing purchase weights larger in amount than the actual sale weights. The larger weight amounts were not supported by documentation showing the livestock had been reweighed. Joe Fritz financially benefited from the reported weight increases when the livestock was resold through a related company.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 41-16

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## **GIPSA Settles a Case with Randy D. Lowery, President, R. Lowery Investments, Inc., d/b/a Anderson County Livestock Auction Resulting in a \$6,000 Penalty**

WASHINGTON, June 29, 2016 – On June 9, 2016, Randy D. Lowery, President, R. Lowery Investments, Inc., doing business as Anderson County Livestock Auction, Huntington, Texas, waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Randy D. Lowery paid a penalty of \$6,000 after GIPSA found that he was insolvent, misused his custodial account and operated his custodial account with shortages.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the P&S Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 42-16

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## **GIPSA Alleges Mount Airy Stockyard, Inc., Venancio Torres, and Deborah Torres Violated the Packers and Stockyards Act**

WASHINGTON, June 29, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Mount Airy Stockyard, Inc. (Mount Airy), Venancio Torres, and Deborah Torres, Mount Airy, N.C.:

- operated with shortages in Mount Airy’s custodial account;
- operated Mount Airy while its current liabilities exceeded its current assets;
- failed to file required form PSP7002 – Supplemental Balance Sheet Special Report within 30 days from the Notice of Default that was sent;
- issued checks in remittance of proceeds for livestock that were sold on consignor’s behalf which were returned for insufficient funds;
- misused Mount Airy’s custodial account by transferring custodial funds to other accounts, and allowed Mount Airy’s bank to withdraw fees and charges from its custodial account; and
- received a notice from GIPSA to cease operations on October 10, 2014, and continued to engage in business as a market agency selling livestock on commission.

GIPSA filed a complaint against Mount Airy, Venancio Torres, and Deborah Torres on May 2, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Mount Airy, Venancio Torres, and Deborah Torres may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Mount Airy is registered with the Secretary of Agriculture; was engaged in the business of a market agency selling livestock in commerce on a commission basis; and, operated a stockyard posted under and subject to the provisions of the P&S Act.

Venancio Torres was engaged in the business of a market agency as that term is defined and used in the P&S Act and the regulations; engaged in the business of conducting and operating a stockyard posted under and subject to the provisions of the P&S Act; president and 50% owner of Mount Airy; and responsible for the day-to-day direction, management and control of Mount Airy including the acts and practices referred to in this complaint.

Deborah Torres was engaged in the business of a market agency as that term is defined and used in the P&S Act and the regulations; engaged in the business of conducting and operating a stockyard posted under and subject to the provisions of the P&S Act; vice-president, secretary, treasurer and 50% owner of Mount Airy; and responsible for the day-to-day direction, management and control of Mount Airy including the acts and practices referred to in this complaint.

As of February 10, 2015, Mount Airy had ceased all operations and as of February 12, 2015, its trust fund agreement terminated.

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# News Release

Release No.: 45-16

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## **GIPSA Alleges Ayah Slaughter House, LLC, d/b/a Lebanese Butchers Slaughter House, Samir Rababeh and Kheder Rababeh Violated the Packers and Stockyards Act**

WASHINGTON, July 15, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ayah Slaughter House, LLC (Ayah Slaughter House) (a cancelled Virginia entity), doing business as Lebanese Butchers Slaughter House (an unregistered Virginia entity), Samir and Kheder Rababeh, Warrenton, Va., on numerous occasions purchased livestock in commerce and failed to pay the full purchase price for the livestock.

GIPSA filed a complaint against Ayah Slaughter House, Samir Rababeh and Kheder Rababeh on May 23, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Ayah Slaughter House, Samir Rababeh and Kheder Rababeh be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

Ayah Slaughter House doing business as Ayah Slaughter House and Lebanese Butchers Slaughter House engaged in business of buying livestock in commerce for the purposes of slaughter and is a packer.

Ayah Slaughter House doing business as Ayah Slaughter House and Lebanese Butchers Slaughter House is under the direction, management, and control of Samir Rababeh. Samir Rababeh is, and at all times was owner of Ayah Slaughter House, a registered agent of Ayah Slaughter House, engaged in the business of buying livestock in commerce for the purposes of slaughter and is a packer.

Ayah Slaughter House doing business as Ayah Slaughter House and Lebanese Butchers Slaughter House is under the direction, management, and control of Kheder Rababeh. Kheder Rababeh is, and at all times was an employee and agent of Ayah Slaughter House, engaged in the business of buying livestock in commerce for the purposes of slaughter, and is a packer.

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# News Release

Release No.: 44-16

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## **Thomas B. Welch, d/b/a TBW Cattle Has Been Ordered to Cease and Desist And Paid a \$10,000 Civil Penalty**

WASHINGTON, July 15, 2016 – On June 23, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Thomas B. Welch (Welch), doing business as TBW Cattle, Sophia, N.C.

An Administrative Law Judge ordered Welch to cease and desist from:

- failing to pay, when due, the full purchase price of livestock; and
- from engaging in business in any capacity for which registration is required under the Packers and Stockyards (P&S) Act without first registering with the Secretary of Agriculture.

Welch was assessed a civil penalty in the amount of \$10,000 which was paid on June 10, 2016.

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# News Release

Release No.: 43-16

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## **GIPSA Settles a Case with Gary L. Vance, LLC, d/b/a South Branch Valley Livestock Exchange and Virginia Cattle Co. Resulting in a \$2,420 Penalty**

WASHINGTON, July 15, 2016 – On June 29, 2016, Gary L. Vance, LLC, doing business as South Branch Valley Livestock Exchange and Virginia Cattle Co., Moorefield, W.V., waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Gary L. Vance, LLC paid a penalty of \$2,420 after GIPSA found that it had custodial account shortages.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 46-16

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## **Carl Mendes, Jr. Is Prohibited from Renewing His Registration for 60 Days**

WASHINGTON, July 25, 2016 – On June 13, 2016, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Carl Mendes, Jr. (Mendes), Hanford, Calif.

An Administrative Law Judge ordered Mendes to cease and desist from:

- engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act and regulations without filing and maintaining an adequate bond or its equivalent; and
- purchasing livestock and failing to pay the full amount of the purchase price for the livestock before the close of the next business day following each purchase of livestock.

Mendes is prohibited from renewing his registration and from engaging in any activities for which registration is required for a period of 60 days and thereafter until such time as Mendes demonstrates to the satisfaction of GIPSA that he has an adequate bond or bond equivalent. He is also required to file the required annual reports, including annual reports for 2012, 2013 and 2015 and that he is in full compliance with the P&S Act.

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# News Release

Release No.: 51-16

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## **GIPSA Settles a Case with CWH Three Families, Inc., d/b/a Tulia Livestock Auction, Resulting in a \$750 Penalty**

WASHINGTON, July 25, 2016 – On June 22, 2016, CWH Three Families, Inc., doing business as Tulia Livestock Auction, Tulia, Texas, waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). CWH Three Families, Inc., paid a penalty of \$750 after GIPSA found that it failed to test two scales and provide test results in the first half of 2015 per requirement of the Packers and Stockyards (P&S) Act.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the P&S Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 50-16

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## **GIPSA Settles a Case with Farmers Livestock Market, Inc. of Tazewell Resulting in a \$1,350 Penalty**

WASHINGTON, July 25, 2016 – On June 16, 2016, Farmers Livestock Market, Inc. of Tazewell (Farmers Livestock Market), Tazewell, Va., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Farmers Livestock Market paid a penalty of \$1,350 after GIPSA found that it failed to test two scales and provide test results in the second half of 2015 per requirement of the Packers and Stockyards (P&S) Act.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the P&S Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 48-16

Contact:  
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## **GIPSA Settles a Case with Fort Smith Livestock Auction Co., Inc. Resulting in a \$2,000 Penalty**

WASHINGTON, July 25, 2016 – On June 9, 2016, Fort Smith Livestock Auction Co., Inc. (Fort Smith Livestock), Moffett, Okla., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Fort Smith Livestock paid a penalty of \$2,000 after GIPSA found that it had custodial account shortages.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 49-16

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## **GIPSA Settles a Case with Marcus Hadaller, d/b/a Second Chance Cattle, Resulting in a \$500 Penalty**

WASHINGTON, July 25, 2016 – On July 4, 2016, Marcus Hadaller (Hadaller), doing business as Second Chance Cattle, Salkum, Wash., waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Hadaller paid a penalty of \$500 after GIPSA found that he failed to pay, when due, for livestock purchases.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 47-16

Contact:  
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## **GIPSA Settles a Case with Terry M. Luedtke Resulting in a \$1,000 Penalty**

WASHINGTON, July 25, 2016 – On June 22, 2016, Terry M. Luedtke (Luedtke), Burton, Texas waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Luedtke paid a penalty of \$1,000 after GIPSA found that he failed to pay, when due, for livestock purchases.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 52-16

Contact:  
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## **GIPSA Settles a Case with James A. Quick Resulting in a \$1,500 Penalty**

WASHINGTON, July 28, 2016 – On July 14, 2016, James A. Quick (Quick), Mansfield, Ark., waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Quick paid a penalty of \$1,500 after GIPSA found that he had fraudulently marked up the price when acting as a market agency buying on commission, failed to render a true written account of the purchase, and fraudulently marked up the weight when acting as a market agency buying on commission without a supporting scale ticket.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 53-16

Contact:  
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## **GIPSA Alleges Costa Live Poultry, Inc. Violated the Packers and Stockyards Act**

WASHINGTON, Aug. 9, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Costa Live Poultry, Inc. (Costa), Sunbury, Pa., purchased live poultry and failed to pay the full purchase price for the poultry.

GIPSA filed a complaint against Costa on June 9, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Costa may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

Costa was engaged in the business of a live poultry dealer in the Commonwealth of Pennsylvania.

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# News Release

Release No.: 54-16

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## **GIPSA Settles a Case with Juniper Mountain Cattle, LLC Resulting in a \$2,500 Penalty**

WASHINGTON, Aug. 9, 2016 – On July 27, 2016, Juniper Mountain Cattle, LLC (Juniper), Fallon, Nev., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Juniper paid a penalty of \$2,500 after GIPSA found that it failed to pay, when due, for livestock purchases and operated without registration and proper financial instrument.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 58-16

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## **GIPSA Settles a Case with Fillippo Livestock, Inc. Resulting in a \$4,000 Penalty**

WASHINGTON, Aug. 16, 2016 – On July 7, 2016, Fillippo Livestock, Inc. (Fillippo), Phoenixville, Pa., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Fillippo paid a penalty of \$4,000 after GIPSA found that it failed to pay, when due, for livestock purchases.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 55-16

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## **GIPSA Alleges Noah's Ark Processors, LLC Violated the Packers and Stockyards Act**

WASHINGTON, Aug. 16, 2016 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Noah's Ark Processors, LLC (Noah's Ark), Hastings, Neb., engaged in the business of a packer purchasing livestock in commerce without maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against Noah's Ark on July 26, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Noah's Ark may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

Noah's Ark engaged in the business of buying livestock in commerce for purposes of slaughter; engaged in the business of manufacturing or preparing meat and meat food products for sale or shipment in commerce; and is a packer within the meaning of and subject to the provisions of the P&S Act.

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# News Release

Release No.: 57-16

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## **Stephen Smeal, d/b/a Fatted Calf Cattle Farms #6 Has Been Assessed a \$84,000 Civil Penalty**

WASHINGTON, Aug. 16, 2016 – On August 2, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision and order with Stephen Smeal, doing business as Fatted Calf Cattle Farms #6, Canton, Texas.

An Administrative Law Judge ordered Stephen Smeal to cease and desist from failing to pay, when due, the full purchase price of livestock and issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available when the checks were presented for payment.

He was also assessed a \$84,000 civil penalty which will be held in abeyance in accordance with and pending compliance with the terms of the “Understanding Regarding Consent Decision” entered between the parties. The civil penalty will be held in abeyance for four years beginning on the date that this order became final and effective. This is provided that Stephen Smeal complies with the terms of this consent decision and order and with the understanding regarding consent decision. He is to successfully complete 48 consecutive full payments to the livestock sellers that are owed. For every 12 payments that are made timely, \$21,000 of the civil penalty will be waived. If completed, at the end of 4 years the full \$84,000 will be paid back to the livestock sellers and the civil penalty will be waived.

In addition to the civil penalty, he is suspended as a registrant under the Packers and Stockyards (P&S) Act for 30 days. Fifteen consecutive days of this period of suspension will be held in abeyance provided he is in full compliance with the terms of this consent decision and order and with the understanding regarding consent decision. The remaining 15 consecutive days of this period of suspension must be served within 60 days from the 6th day after service of this consent decision and order. He is prohibited from engaging in business subject to the P&S Act without being registered with the Packers and Stockyards Program.

The consent decision and order resolves a complaint that GIPSA filed against Stephen Smeal on July 14, 2016.

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# News Release

Release No.: 56-16

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## **GIPSA Alleges T&J Meat Packing, Inc. Violated the Packers and Stockyards Act**

WASHINGTON, Aug. 16, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that T&J Meat Packing, Inc., Chicago Heights, Ill., purchased livestock and failed to deliver to the livestock sellers the full amount of the purchase price before the close of the next business day following each purchase of livestock.

GIPSA filed a complaint against T&J Meat Packing, Inc., on July 14, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, T&J Meat Packing, Inc., may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

T&J Meat Packing, Inc., engaged in the business of buying livestock in commerce for purposes of slaughter and is a packer within the meaning of and subject to the provisions of the P&S Act.

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# News Release

Release No.: 59-16

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## **GIPSA Settles a Case with Thunder Ridge Beef Co., LLC Resulting in a \$1,500 Penalty**

WASHINGTON, Aug. 16, 2016 – On August 8, 2016, Thunder Ridge Beef Co., LLC (Thunder Ridge), Sigourney, Iowa, waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Thunder Ridge paid a penalty of \$1,500 after GIPSA found that it failed to pay, when due, for livestock purchases.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 60-16

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## **GIPSA Alleges Gregg Paskewitz, d/b/a Paskewitz Livestock Violated the Packers and Stockyards Act**

WASHINGTON, Aug. 31, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gregg Paskewitz, doing business as Paskewitz Livestock, Lucan, Minn.:

- failed to pay, when due, the full purchase price for livestock; and
- issued non-sufficient funds checks for the purchase of livestock.

GIPSA filed a complaint against Gregg Paskewitz on July 19, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Gregg Paskewitz may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Gregg Paskewitz engaged in the business of a dealer buying and selling livestock in commerce for his own account or for the account of others; engaged in the business of a market agency buying livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture as a dealer and as a market agency.

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# News Release

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## **GIPSA Settles a Case with Lee Farmers Livestock Market, Inc. And Stuart Wilson Resulting in a \$1,350 Penalty**

WASHINGTON, Aug. 31, 2016 – On August 18, 2016, Lee Farmers Livestock Market, Inc. (Lee Farmers) and Stuart Wilson, Jonesville, Va., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Lee Farmers and Stuart Wilson paid a penalty of \$1,350 after GIPSA found that they failed to test two scales and provide test results in the second half of 2015 per requirement of the Packers and Stockyards (P&S) Act.

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# News Release

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## **GIPSA Settles a Case with Berry & Son Rababeh Islamic Slaughter House, Inc. Resulting in a \$5,900 Penalty**

WASHINGTON, Sept. 12, 2016 – On Aug. 23, 2016, Berry & Son Rababeh Islamic Slaughter House, Inc. (Berry & Son), Detroit, Mich, waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Berry & Son paid a penalty of \$5,900 after GIPSA found that it failed to pay, when due, for livestock purchases.

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# News Release

Release No.: 62-16

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## **Mount Airy Stockyard, Inc., Venancio Torres and Deborah Torres Ordered to Cease and Desist and Paid a \$15,000 Civil Penalty**

WASHINGTON, Sept. 12, 2016 – On Aug. 18, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a decision without hearing by reason of consent with Mount Airy Stockyard, Inc. (Mount Airy), Venancio Torres and Deborah Torres, Mount Airy, N.C.

An Administrative Law Judge ordered Mount Airy, Venancio Torres and Deborah Torres to cease and desist from:

- failing to timely remit proceeds to consignors;
- failing to properly maintain and use their custodial account; and
- issuing insufficient funds checks.

They have been ordered to pay a civil penalty in the amount of \$15,000. Six thousand dollars was immediately due and payable. The remaining \$9,000 of the civil penalty will be held in abeyance for 1 year. If they fail to comply with any of the terms of this consent decision during the period of abeyance, the full civil penalty shall be reinstated and any remaining balance of the civil penalty will become immediately due and payable.

They are also prohibited from operating in any capacity requiring registration under the Packers and Stockyards (P&S) Act for 135 days, and thereafter, until they demonstrate full compliance with the P&S Act and the regulations. After expiration of the initial 135 day period, provided they demonstrate full compliance with the P&S Act and the regulations, and upon application to the Packers and Stockyards Program, a supplemental order may be issued in this proceeding terminating the prohibition.

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# News Release

Release No.: 67-16

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## **GIPSA Settles a Case with Arab Livestock Market, Inc., and Robbie Gibbs Resulting in a \$650 Penalty**

WASHINGTON, Sept. 27, 2016 – On Sept. 5, 2016, Arab Livestock Market, Inc., and Robbie Gibbs, Owner, Arab, Ala., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). They paid a penalty of \$650 after GIPSA found that they failed to test their scale and provide test result in the second half of 2015 per requirement of the regulations under the Packers and Stockyards (P&S) Act.

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# News Release

Release No.: 64-16

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## **GIPSA Settles a Case with F&N, LLC, d/b/a Christiansburg Livestock Market Resulting in a \$1,125 Penalty**

WASHINGTON, Sept. 27, 2016 – On Sept. 8, 2016, F&N, LLC, doing business as Christiansburg Livestock Market (F&N), Christiansburg, Va., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). F&N paid a penalty of \$1,125 after GIPSA found that it failed to test scales per requirement of the regulations under the Packers and Stockyards (P&S) Act.

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# News Release

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## **GIPSA Settles a Case with Ford and Ford, Inc., d/b/a Hope Livestock Auction Resulting in a \$1,000 Penalty**

WASHINGTON, Sept. 27, 2016 – On Sept. 9, 2016, Ford and Ford, Inc., doing business as Hope Livestock Auction (Ford and Ford), Hope, Ark., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Ford and Ford paid a penalty of \$1,000 after GIPSA found that it fraudulently marked up the price when acting as a market agency buying on commission; failed to render a true and written account of the purchase; and fraudulently marked up the weight when acting as a market agency buying on commission without a supporting scale ticket.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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# News Release

Release No.: 65-16

Contact:  
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## **GIPSA Settles a Case with Andre Nogueira and JBS USA, LLC, a/k/a Swift Beef Company Resulting in an \$8,000 Penalty**

WASHINGTON, Sept. 27, 2016 – On July 21, 2016, Andre Nogueira, President and CEO, JBS USA, LLC also known as Swift Beef Company, Greeley, Colo., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). They paid a penalty of \$8,000 after GIPSA found that they operated a scale that was inspected or tested and found in a condition to give incorrect or inaccurate weights. They also failed to maintain sufficient records to substantiate the settlement of each transaction by failing to identify the scale being used to determine payment.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

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# News Release

Release No.: 68-16

Contact:  
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## **Judgment entered against John E. Lundgren, in favor of the United States of America; Ordered to pay \$41,467.97**

WASHINGTON, Oct. 11, 2016 – On Sept. 2, 2016, Assistant United States Attorney, David R. East, filed a Motion for Default and a proposed Order entering Default Judgment against John E. Lundgren (Lundgren), of Mount Vernon, Wash., in the U.S. District Court for the Western District of Washington.

Previously, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed administrative complaints against Lundgren that resulted in Default Decisions and Orders (Secretary's orders) being entered against him in 2010 and 2012. The 2010 Secretary's order ordered Lundgren to cease and desist from failing to pay, when due, for his livestock purchases and for issuing insufficient funds checks in purported payment for those purchases. The 2012 Secretary's order ordered Lundgren to cease and desist from engaging in operations subject to the Packers and Stockyards (P&S) Act without maintaining an adequate bond or bond equivalent and failing to pay, when due, for livestock purchases. He was also ordered to pay civil penalties in the amount of \$18,967.97 and \$22,500, respectively.

A 2013 investigation by GIPSA revealed Lundgren is in violation of both Secretary's orders. He engaged in 30 additional transactions without having an adequate bond or bond equivalent and failed to pay, when due, for livestock purchases.

On Sept. 9, 2016, the U.S. District Court issued a default judgment against Lundgren ordering payment to the United States of \$18,967.97 and \$22,500 within 60 days from the date of issuance (Case2:16-cv-0016-RSL). Lundgren also was permanently enjoined from operating without obtaining/maintaining a reasonable bond, failing to pay when due, and engaging in unfair and deceptive practices.

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# News Release

Release No.: 70-16

Contact:  
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## **GIPSA Settles a Case with Tyson Fresh Meats, Inc., Resulting in a \$22,500 Civil Penalty and Additional Compensation to Producers**

WASHINGTON, Oct. 11, 2016 – On Sept. 30, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a Consent Decision with Tyson Fresh Meats, Inc. (Tyson), Springdale, Ark.

Tyson changed its carcass trim procedures at two of its plants without prior notification to hog producers. GIPSA inspectors noticed the change and brought the notification issued to Tyson’s attention. Tyson discontinued the new trim procedures at these plants and returned to its traditional trim method. In Oct. 2015, prior to settlement negotiations, Tyson voluntarily compensated hog producers as a result of the temporary change in trimming procedure. GIPSA filed a complaint on Sept. 29, 2016. To resolve the complaint, Tyson agreed to cease and desist from failing to disclose, or otherwise make known to hog producers, prior to purchase, a description of the carcass trim procedure to be used in determining the weight of producer’s hogs. Tyson also paid a civil penalty of \$22,500.

Tyson waived further procedure for the purpose of settling this proceeding and agreed to the entry of the Consent Decision. The Consent Decision became final and effective on Sept. 30, 2016.

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# News Release

Release No.: 69-16

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## **GIPSA Alleges Zabiha Halal Meats, Inc., Daniel Ault, Carrie Ault and Corey Hamilton Violated the Packers and Stockyards Act**

WASHINGTON, Oct. 11, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Zabiha Halal Meats, Inc., Daniel Ault, Carrie Ault and Corey Hamilton, Fairmont, Ind.:

- operated as a packer without a bond or financial instrument;
- failed to pay, when due, for livestock purchased;
- issued non-sufficient funds checks for the purchase of livestock; and
- failed to maintain adequate records to document livestock purchase transactions.

GIPSA filed a complaint against Zabiha Halal Meats, Inc., Daniel Ault, Carrie Ault and Corey Hamilton on June 29, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Zabiha Halal Meats, Inc., Daniel Ault, Carrie Ault and Corey Hamilton may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

Daniel Ault, Carrie Ault and Corey Hamilton own Zabiha Halal Meats, Inc. They operate as a packer as defined under the P&S Act and require a financial instrument sufficient to cover livestock transactions conducted as a packer.

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# News Release

Release No.: 73-16

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**Ayah Slaughter House, LLC, d/b/a Lebanese Butchers Slaughter  
House, Samir Rababeh and Kheder Rababeh  
Assessed a Civil Penalty in the Amount of \$110,000**

WASHINGTON, Oct. 20, 2016 – On Aug. 29, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a Consent Decision and Order with Ayah Slaughter House, LLC (Ayah Slaughter House) (a cancelled Virginia entity), doing business as Lebanese Butchers Slaughter House (an unregistered Virginia entity), Samir and Kheder Rababeh, Warrenton, Va.

An administrative law judge ordered Ayah Slaughter House, Samir and Kheder Rababeh to cease and desist from failing to pay the full purchase price for livestock.

They have also been assessed a \$110,000 civil penalty which will be held in abeyance so long as they pay restitution to the parties named in the Understanding and in accordance with the terms of the Understanding.

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# News Release

Release No.: 71-16

Contact:  
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## **Alejandro Moreno & Nora Picazo Assessed a Civil Penalty in the Amount of \$4,000**

WASHINGTON, Oct. 20, 2016 – On Sept. 28, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Alejandro Moreno (Moreno) & Nora Picazo (Picazo), doing business as Moreno Slaughter, Strasburg, Colo.

An administrative law judge ordered Moreno and Picazo to cease and desist from:

- failing to maintain a proper bond or bond equivalent; and
- failing to maintain and keep such accounts, records and memoranda that fully and correctly discloses all transactions in their business.

Moreno and Picazo have also been assessed a \$4,000 civil penalty to be held in abeyance for 6 months pending their proper registration and bonding.

The consent decision resolves a complaint that was filed July 26, 2016.

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# News Release

Release No.: 74-16

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## **GIPSA Settles a Case with Rochester Sale Barn, Inc. Resulting in an \$2,750 Penalty**

WASHINGTON, Oct. 20, 2016 – On Oct. 5, 2016, Rochester Sale Barn, Inc. (Rochester), Rochester, Ind., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Rochester paid a penalty of \$2,750 after GIPSA found that it had custodial account shortages and failed to reimburse its custodial account in a timely manner.

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# News Release

Release No.: 75-16

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## **GIPSA Settles a Case with Tim Lee Moore Resulting in a \$4,000 Penalty**

WASHINGTON, Oct. 26, 2016 – On Oct. 7, 2016, Tim Lee Moore (Moore), Brooklyn, Mich., waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Moore paid a penalty of \$4,000 after GIPSA found that he failed to pay, when due, for livestock purchases.

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# News Release

Release No.: 77-16

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## **Casper Joe Ringelstein, III, d/b/a S.W. Livestock Sales Co. Assessed a Civil Penalty in the Amount of \$500**

WASHINGTON, Nov. 4, 2016 – On Sept. 23, 2016, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Casper Joe Ringelstein, III (Ringelstein), doing business as S.W. Livestock Sales Co., Pleasanton, Texas.

An administrative law judge ordered Ringelstein to cease and desist from:

- failing to properly maintain his custodial account for shippers’ proceeds in strict conformity with the Packers and Stockyards (P&S) Act; and
- failing to keep and maintain accounts, records and memoranda that fully and correctly discloses all transactions in his business.

Ringelstein has also been assessed a \$500 civil penalty.

The consent decision resolves a complaint that was filed July 26, 2016.

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Release No.: 78-16

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## **GIPSA Settles a Case with Dwaine Miller Resulting in a \$1,500 Penalty**

WASHINGTON, Nov. 4, 2016 – On Oct. 18, 2016, Dwaine Miller (Miller), Millersburg, Ohio, waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Miller paid a penalty of \$1,500 after GIPSA found that he failed to pay, when due, for livestock purchases.

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# News Release

Release No.: 76-16

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## **Thomas H. Hodge, Jr., d/b/a People's Livestock Auction, Hodge Cattle Co. and Hodge 21 Ranch Assessed a Civil Penalty in the Amount of \$20,500**

WASHINGTON, Nov. 4, 2016 – On Sept. 6, 2016, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a decision and order with Thomas H. Hodge, Jr. (Hodge), doing business as People's Livestock Auction, Hodge Cattle Co., and Hodge 21 Ranch, Houston, Miss.

An administrative law judge ordered Hodge to cease and desist from purchasing livestock and failing to pay, when due, the full purchase price for the livestock purchased.

Hodge has also been assessed a \$20,500 civil penalty.

The decision resolves a complaint that was filed Feb. 25, 2016.

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# News Release

Release No.: 80-16

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## **GIPSA Settles a Case with JJ Childress And Childress Cattle, LLC Resulting in a \$4,000 Penalty**

WASHINGTON, Nov. 16, 2016 – On Nov. 9, 2016, JJ Childress (Childress) and Childress Cattle, LLC, Buffalo, Ky., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Childress and Childress Cattle, LLC paid a penalty of \$4,000 after GIPSA found that they failed to pay, when due, for livestock purchases.

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# News Release

Release No.: 79-16

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## **Noah's Ark Processors, LLC Assessed a Civil Penalty in the Amount of \$10,000**

WASHINGTON, Nov. 16, 2016 – On Nov. 3, 2016, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Noah's Ark Processors, LLC (Noah's Ark), Hastings, Neb.

An administrative law judge ordered Noah's Ark to cease and desist from failing to maintain a proper bond or bond equivalent as required by the Packers and Stockyards (P&S) Act and Regulations.

Noah's Ark was also assessed a \$10,000 civil penalty.

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# News Release

Release No.: 81-16

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## **GIPSA Settles a Case with Charles R. Helmick and Buckhannon Stockyards, Inc. Resulting in a \$1,350 Penalty**

WASHINGTON, Nov. 18, 2016 – On Oct. 21, 2016, Charles R. Helmick (Helmick) and Buckhannon Stockyards, Inc., Buckhannon, W.Va., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Helmick and Buckhannon Stockyards, Inc. paid a penalty of \$1,350 after GIPSA found that they failed to test scales and provide test results in the second half of 2015 per requirement of the Regulations.

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# News Release

Release No.: 82-16

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## **Abe Cuesta, a/k/a Abram Cuesta, d/b/a Quality Cattle To Pay a \$7,500 Civil Penalty**

WASHINGTON, Dec. 8, 2016 – On Jan. 7, 2016, Abe Cuesta, also known as Abram Cuesta, doing business as Quality Cattle, Polk City, Fla., and the United States of America on behalf of the USDA, entered a Settlement Agreement (agreement).

In this agreement, Abe Cuesta (Cuesta) agreed to pay a \$7,500 civil penalty in installments. To date, he has paid \$1,875. He also agreed to the entry of a Consent Judgment if he defaulted under the agreement.

This agreement formally resolves a civil complaint against Cuesta. The complaint filed in United States District Court, Middle District of Florida, Tampa Division, on April 25, 2014, alleged that Cuesta:

- failed to timely file his 2009 annual report, and
- 
- continued to operate as a dealer following the expiration of his registration.

On Aug. 3, 2015, the court granted the United States its motion for Summary Judgment. In its order, the court concluded that Cuesta qualifies as a dealer under the Packers and Stockyards (P&S) Act. As a result, he is required to file an annual report. The court found it undisputed that Cuesta did not file a report in 2009. The court also found that Cuesta violated the P&S Act when he continued buying and selling livestock at stockyards after his registration to operate as a dealer expired. The court deferred its decision on appropriate civil penalties. However, after receiving the formal settlement between the parties, the court dismissed the case on Jan. 8, 2016.

Prior to the execution of this agreement, Cuesta re-registered as a dealer, filed annual reports for 2013 and 2014, and obtained the required bond.

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# News Release

Release No.: 83-16

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## **GIPSA Settles a Case with Sunnyside Meats, Inc. and Gerald Zink Resulting in a \$2,500 Penalty**

WASHINGTON, Dec. 14, 2016 – On Dec. 9, 2016, Sunnyside Meats, Inc. (Sunnyside) and Gerald Zink (Zink), Durango, Colo., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Sunnyside and Zink paid a penalty of \$2,500 after GIPSA found that they failed to pay, when due, for livestock purchases.

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# News Release

Release No.: 84-16

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## **GIPSA Settles a Case with Kameron C. Kolander, d/b/a Jackson Livestock Company Resulting in a \$2,200 Penalty**

WASHINGTON, Dec. 20, 2016 – On Dec. 9, 2016, Kameron C. Kolander (Kolander), doing business as Jackson Livestock Company, Jackson, Minn., waived his right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA). Kolander paid a penalty of \$2,200 after GIPSA found that he had custodial account shortages.

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# News Release

Release No.: 87-16

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## **GIPSA Settles a Case with B&J Auctions, Inc., d/b/a Four States Livestock Sales Resulting in a \$900 Penalty**

WASHINGTON, Dec. 23, 2016 – On Dec. 16, 2016, B&J Auctions, Inc. doing business as Four States Livestock Sales, Hagerstown, Md., waived its right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). B&J Auction, Inc. paid a penalty of \$900 after GIPSA found that it failed to have their scale tested between July 1 and December 31, 2015, and failed to file a scale test report.

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# News Release

Release No.: 85-16

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## **GIPSA Alleges Ernest R. Gard, d/b/a Gard Cattle Company Violated the Packers and Stockyards Act**

WASHINGTON, Dec. 23, 2016 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ernest R. Gard (Gard), d/b/a Gard Cattle, Company, Clovis, N.M., failed to pay, when due, the full amount of the purchase price for livestock.

GIPSA filed a complaint against Gard on Nov. 14, 2016. The complaint can be found on the GIPSA website: [www.gipsa.usda.gov/psp/enforcement.aspx](http://www.gipsa.usda.gov/psp/enforcement.aspx). If the allegations are admitted, or proven in an oral hearing, Gard may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Gard engaged in the business of buying and selling livestock in commerce as a dealer for his own account; is registered with the Secretary of Agriculture; and doing business as Gard Cattle Company.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



Grain Inspection,  
Packers and  
Stockyards Administration  
STOP 3601  
1400 Independence Ave., SW  
Washington, D.C. 20250-3601  
Web: [www.gipsa.usda.gov](http://www.gipsa.usda.gov)

# News Release

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## **GIPSA Settles a Case with Curt J. Zimmerer and Sherri L. Zimmerer, d/b/a Verdigre Livestock Market Resulting in a \$600 Penalty**

WASHINGTON, Dec. 23, 2016 – On Dec. 9, 2016, Curt J. Zimmerer and Sherri L. Zimmerer, doing business as Verdigre Livestock Market, Verdigre, Neb., waived their right to a hearing and entered into a stipulation agreement with the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA). Curt J. Zimmerer and Sherri L. Zimmerer paid a penalty of \$600 after GIPSA found that they failed to have their scale tested between July 1 and December 31, 2015.

GIPSA enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer alleged violators the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.